

AGENDA MEMO

CITY COUNCIL MEETING DATE: SEPTEMBER 20, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SUP-14974 APPLICANT: JOHN W. JOHNSON OWNER:
O'BANNON PLAZA, LLC**

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL, subject to:

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.050 for Automobile Rental use.
2. Approval of and conformance to the Conditions of Approval for Variance (VAR-15498) shall be required.
3. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.
4. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**** STAFF REPORT ****

APPLICATION REQUEST

This is a request for a Special Use Permit for a proposed automobile rental establishment at 2219 South Rainbow Boulevard.

EXECUTIVE SUMMARY

The proposed automobile rental establishment is consistent with the zoning and land use designations for the property. However, the site does not have adequate parking for clientele or sufficient space for parking of rental cars, and therefore is not physically suitable for the land use proposed.

BACKGROUND INFORMATION

A) Related Actions

- 12/17/86 The City Council approved the reclassification of property located at the southwest corner of O'Bannon Drive and Rainbow Boulevard from N-U (Non-Urban) to C-1 (Limited Commercial).
- 09/12/89 The City Council approved a Variance (V-97-88) to allow 214 parking spaces where 245 were required. The Board of Zoning Adjustment and staff recommended approval.
- 08/24/06 The Planning Commission voted to STRIKE a companion item VAR-15498.
- 08/24/06 The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #58/jm).

B) Pre-Application Meeting

- 06/23/06 Application for a Special Use Permit was discussed. The applicant was also asked to provide a detailed parking analysis of the site.

C) Neighborhood Meetings

No neighborhood meeting was required with this application, nor was one held.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 3.69

B) Existing Land Use

Subject Property: Shopping Center
North: Retail store (auto parts)
South: Auto Dealership
East: Swap Meet
West: Single Family Residential

C) Planned Land Use

Subject Property: SC (Service Commercial)
North: SC (Service Commercial)
South: GC (General Commercial)
East: SC (Service Commercial)
West: DR (Desert Rural Density Residential)

D) Existing Zoning

Subject Property: C-1 (Limited Commercial)
North: C-1 (Limited Commercial)
South: C-2 (General Commercial)
East: C-1 (Limited Commercial)
West: R-E (Residence Estates)

E) General Plan Compliance

The subject site is designated SC (Service Commercial) on the Southwest Sector Map of the Master Plan. This land use category allows low to medium intensity retail, office, or other commercial uses that serve primarily local area patrons and do not include more intense general commercial characteristics. The existing C-1 (Limited Commercial) zoning district is consistent with the Master Plan, and the proposed automobile rental is a permitted use with the approval of a Special Use Permit.

<i>SPECIAL DISTRICTS/ZONES</i>	Yes	No
Special Area Plan		X
Special Overlay District		X
Trails		X
Rural Preservation Overlay District		X
County/North Las Vegas/HOA Notification		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

Pursuant to Title 19.10, the following Parking Standards apply to the subject proposal:

Uses	GFA	Required		Provided	
		Ratio	Parking		Parking
			Regular	Handicap	
Restaurant	1220	1/50	24		
	3221	1/200	16		
General Retail	26,043	1/175	149		
Professional Use	1,161	1/200	6		
Automobile Rental	1709	1/200	9		(10*)
Professional Use (Optometrist)	2000	1/200	10		
	1536	1/175	9		
Restaurant	2429	1/100	24		
TOTAL			247	7	214 (202)

*The applicant has asked for an additional 12 parking spaces for the parking of their rental cars.

Per a previously approved Variance (VAR-97-88), 214 parking spaces were approved where 245 were required for the existing retail center containing a mix of retail, office, and restaurant uses. Per a new parking analysis submitted by the applicant, the subject site (including the automobile rental facility) requires 247 spaces and 214 are provided. In addition the applicant requests an additional 12 parking space for the parking of their rental cars. The subject site is not within the scope of the existing Variance, rendering the site with less parking than approved. Therefore, a new Variance (VAR-15498) has been requested by the applicant to provide 202 parking spaces where 247 spaces are required. The applicant is deficient 14 spaces from the previous variance.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements in the Zoning Code that apply to the proposed automobile rental use; however, there are no similar approved uses within the 1000' notification distance.

B) General Analysis and Discussion

- Zoning

Development in the C-1 (Limited Commercial) zone may consist of any use or combination of uses that are specifically approved for the property in the Limited Commercial or are approved by means of a Special Use Permit.

- Use

The applicant is proposing to use the 1,708 square feet of commercial floor space for a automobile rental use. The applicant, in their justification letter, purports that the automobile rental establishment will cater to the local community and hotel patrons. The operation will handle a lower volume of rental cars than would a typical automobile rental establishment near the airport or auto mall.

Although the site might generate a lower volume of rental cars and patrons than a typical establishment, the site exceeds the required parking stalls per a previous parking variance (VAR-97-88) by 14 parking spaces. The site does not have adequate parking for clientele or sufficient space for parking of rental cars.

- Conditions

The application meets the minimum site area requirement of twenty-five thousand square feet. There are no service bays as part of this request and automotive parts or repair equipment will not be stored outside.

FINDINGS

In order to approve a Special Use Permit application, per Title 19.18.060 the Planning Commission and City Council must affirm the following:

1. **“The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan.”**

The proposed automobile rental establishment is consistent with the zoning and land use designations for the property. However, the site does not have adequate parking for clientele or sufficient space for parking of rental cars, and therefore is not physically suitable for the land use proposed.

2. **“The subject site is physically suitable for the type and intensity of land use proposed.”**

The subject site is not physically suitable for the proposed automobile rental establishment. The site is not within the scope of the existing Variance (VAR-97-88), rendering the site with less parking than approved. The use will not be too intense for this area of the City. Therefore, a new Variance (VAR-15498) has been requested by the applicant to provide 202 parking spaces where 247 spaces are required.

3. “Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use.”

The automobile rental facility is located at the intersection of Rainbow Boulevard and Via Olivero Avenue. Rainbow Boulevard is a 150-foot Primary Arterial and is capable of handling the traffic that the automobile rental facility will generate.

4. “Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan.”

The automobile rental facility will be subject to City Business License requirements and periodic City inspections for code compliance, and will therefore not compromise the public health, safety and welfare.

PLANNING COMMISSION ACTION

The application originally included a Variance. The project was re-designed and the Variance is no longer necessary. Staff could then recommend approval. A condition to restrict to five spaces shall be added.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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ASSEMBLY DISTRICT 2

SENATE DISTRICT 8

NOTICES MAILED 107 by City Clerk

APPROVALS 0

PROTESTS 0